

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF DELAWARE**

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Howard Levey, John and Susan L. Walter, h/w	:	
<i>and</i>	:	
Allstate Insurance Company	:	
Plaintiffs	:	
	:	C.A. No. 1:06-cv-510 JJF
V.	:	
	:	
Boat America Corporation,	:	
<i>and</i>	:	
Delaware Bay Launch Service, Inc.	:	
Defendants	:	

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**ANSWER OF PLAINTIFFS TO DEFENDANT**  
**BOAT AMERICA CORPORATION'S COUNTERCLAIM**

Plaintiffs, Howard Levey, John and Susan L. Walter, h/w, and Allstate Insurance Company, by and through their attorneys, Charles M. Oberly, III and Stephen K. Carr, hereby Answer Defendant Boat America Corporation's Counterclaim as follows:

43. Denied. Plaintiffs deny the allegation set forth in this paragraph that Defendant Boat America Corporation is entitled to contribution from Plaintiffs and further deny that they negligently, individually or jointly, were the proximate cause of the injuries alleged in the Complaint.

44. Denied. Plaintiffs deny the allegations set forth in this paragraph that Defendant Boat America Corporation is entitled to contribution from Plaintiffs and further deny that they

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negligently, individually or jointly, were the proximate cause of the incident alleged in the Complaint.

**OBERLY, JENNINGS & RHODUNDA**

*/s/ Charles M. Oberly, III*

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**CHARLES M. OBERLY, III, ESQ. (743)**  
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**(302) 576-2000**

*/s/ Stephen K. Carr*

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**STEPHEN K. CARR, ESQ. (9896)**  
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**Date: September 27, 2006**

**Attorneys for Plaintiffs**

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF DELAWARE**

Howard Levey, John and Susan L. Walter, h/w :  
*and* :  
Allstate Insurance Company :  
Plaintiffs :  
V. : C.A. No. 1:06-cv-510 JJF  
Boat America Corporation, :  
*and* :  
Delaware Bay Launch Service, Inc. :  
Defendants ;

## CERTIFICATE OF SERVICE

I hereby certify that on this date, I caused true and correct copies of the foregoing Answer of Plaintiffs to Defendant Boat America Corporation's Counterclaim to be served via e-filing and first class mail, postage prepaid upon the following:

William J. Cattie, III, Esq., #953  
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**OBERLY, JENNINGS & RHODUNDA**

*/s/ Charles M. Oberly, III*

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Attorney for Plaintiffs**

**Date: September 27, 2006**

